

App. No. 10/750,455  
Response of December 27, 2006  
Reply to Office Action of June 27, 2006

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REMARKS/ARGUMENTS

Applicants acknowledge and appreciate the Examiner's detailed analysis of the previously presented claims. Applicants also gratefully acknowledge and accept the subject matter indicated to be allowable, as recited in the foregoing amendments and described in the following remarks.

Claims 1-30 were pending at the time of the Office Action.

Claims 1-7 and 11-30 were rejected. Claims 11-20 were rejected under 35 U.S.C. § 101 of the basis that the claimed invention was directed to non-statutory subject matter. Claims 2, 12, and 21-30 were rejected under 35 U.S.C. § 112, second paragraph, on the basis of being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-2, 5-7, 11-12, and 15-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,092,168 to Voigt (hereinafter Voigt). Claims 3-4, 13-14, and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Voigt in view of U.S. Publication 2003/0120858 of March et al. Claims 21 and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Voigt in view of The Microsoft Computer Dictionary.

Claims 8-10 were objected to as depending from a rejected base claim, claim 1, but indicated to be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims from which each depends. Claims 18, 19, and 20 were also indicated to be allowable if rewritten to overcome the rejection under 35 U.S.C. § 101 and to include the limitations of the base claim and each intervening claim from which each depends.

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Claims 28, 29, and 30 were also indicated to be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include the limitations of the base claim and any intervening claim from which each depends.

Applicants hereby amend claims 1, 2, 11, 12, 21, and 22. Applicants also hereby cancel claims 8, 19, and 30. Finally, applicants hereby add claims 31-33 to capture additional allowable, supported subject matter in place of the three canceled claims. Based on the foregoing amendments, applicants respectfully submit that claims 1-7, 9-18, 20-29, and 31-33 claims are in condition for allowance.

Amendments in Response to Rejections under 35 U.S.C. § 101

Applicants have amended claim 11 to direct the claim toward statutory subject matter in including "A computer-readable medium *arranged for storing* computer-executable components." Applicants respectfully submit that claim 11, as well as claims 12-18, 20, and 32 that depend from claim 11, are now in condition for allowance under 35 U.S.C. § 101.

Amendments in Response to Rejections under 35 U.S.C. § 112

Applicants have amended claims 2, 12, and 21-30 to overcome the asserted indefiniteness of the claims. Specifically, applicants have amended claims 2 and 12 to recite "a heap" instead of "the heap" to address the lack of antecedent basis for the heap noted in the Office Action. In addition, applicants have amended claim 21 to replace "allocable memory blocks" with "an allocable memory block" to address the lack of antecedent basis for "the allocable memory block" recited in claims 21, 23, 25, 27, 29 and 30. Applicants respectfully submit that claim 21,

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as well as claims 22-30 that depend from claim 21, are now in condition for allowance under 35 U.S.C. § 112.

Allowable Subject Matter

Applicants have amended claim 1 to include the limitations of claim 8 that depended from claim 1 and was indicated to be allowable. Claim 8 is canceled. Thus, claim 1 as amended presents claim 8 as though written in independent form to include the limitations of any claim from which it depends.

Applicants have amended claim 11 to include the limitations of claim 19 that depended from claim 11 and was indicated to be allowable. Claim 19 is canceled. Thus, claim 11 as amended presents claim 19 as though written in independent form to include the limitations of any claim from which it depends.

Applicants have amended claim 21 to include the limitations of claim 30, which depended from claim 21 and was indicated to be allowable. Claim 30 is canceled. Thus, claim 21 as amended presents claim 30 as though written in independent form to include the limitations of any claim from which it depends.

Because amending the claims to present the allowable claims in independent form, applicants hereby add claims 31-33 to add the limitation in the claim from which each depends regarding checking the overwrite protection to recite that the overwrite detection pattern is checked when the allocable memory block is passed back to the operating system. Applicants respectfully note that this limitation is supported in the specification.

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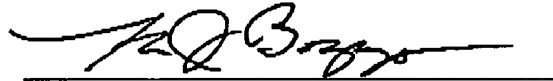
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In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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